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Centers, nurses treat rape victims with dignity

By RICHARD M. ROMLEY, Maricopa County Attorney



One of the most degrading, humiliating and terrifying experiences a person can go through is that of being a victim of sexual assault. The nature of the crime itself is such that, typically, only two witnesses are present: the victim and his or her assailant. To insure a successful prosecution of those who would commit these serious offenses, physical evidence in addition to the victim's testimony is often necessary. To obtain the necessary physical evidence, a thorough medical examination of the victim must be performed in a timely fashion. This examination must not only be professionally administered in the clinical sense, the personnel conducting the exam must be sensitive to the victim's psychological and physical trauma. Unfortunately, that is not always the case.

After being the subject of a sexual assault, the victim often finds themselves under the care of medical personnel. In past years, victims of sexual assault would go to valley hospitals, where an examination would take place and physical evidence, including biological specimens, would be retained. The cost of the procedure, utilizing a "sexual assault" or "rape kit" would be borne by the County Attorney's Office. However, any additional medical bills incurred during the examination or treatment of the victim would be charged directly to the victim who often felt revictimized by having to incur these additional costs. Part of these costs may be reimbursed through the Maricopa County Attorney's Office Compensation Fund which it administers, but not necessarily all costs.

In addition to objections about the high cost of medical treatment, many of these victims expressed frustration and dismay at having to undergo medical treatment in emergency rooms where typically the hospitals were giving higher priority to patients who were perceived to have more critical injuries. Often victims of sexual assault would spend hours in emergency rooms awaiting treatment, delaying the gathering of evidence and subjecting the victim to humiliation. Some emergency room physicians, not specialized in the areas of sexual assault and the collection of evidence, were reluctant to perform this function to avoid involvement as a witness in any future prosecution.

In view of the shortcomings of the existing system, the Maricopa County Attorney's Office sought solutions. We recognized that there was a need for a more suitable environment to conduct these medical examinations, an environment that would lessen the trauma for victims while preserving the ability to collect evidence. We also recognized that there was a need for specially trained personnel who would conduct these examinations with compassion.

Extensive research into what other communities have done to tackle a similar problem was undertaken. Sexual Assault Nurse Examiner (SANE) and Sexual Assault Response Team (SART) programs have been successful in providing the type of service that enhances the ability of these victims to cope with the trauma of their experience while assisting law enforcement. Both programs provide specially trained nurses, on-duty around the clock, who then respond to the request of law enforcement to conduct sexual assault examinations.

In our effort to provide a service that will insure that these victims are promptly examined by qualified personnel, while insuring that they are treated with understanding and respect, we consulted with law enforcement officials, victims' groups and the medical community. In early 1999, the Maricopa County Attorney's

See *InterAlia*, page 2

Center alternative to ER

By NICOLE MANGER, Public Information Coordinator

ONCE AGAIN a team of paramedics push through the automatic doors this time wheeling the victims of an automobile accident towards the available exam rooms. The trauma doctors and nurses hustle to provide the necessary medical attention. Observing the attention given to this obvious emergency is a victim of sexual assault who has been sitting in the cold, sterile waiting room for two hours among other patients and the surrounding chaos. Unattended, humiliated, exasperated, she sits patiently, revictimized by an overworked and sometimes insensitive system.

Unfortunately, this is not the opening scene of ER, NBC's nighttime drama, it is the story told by many sexual assault victims.

The new Phoenix Family Advocacy Center provides an alternative to hectic emergency rooms. The Center, opening at the end of August, is a "one-



The new Phoenix Family Advocacy Center opened its doors September 30, 1999.

stop" site designed to support victims and their families who are victims of domestic violence and sexual abuse.

The expression "one-stop" means the 24,000-square-foot facility will offer a wide range of services so victims will not have to sit in emergency rooms for hours or travel to multiple locations, according to Dee Wheeler-Cronin, the Family Advocacy Center's Director. The services include referral, case management and counseling, investigative and prosecutorial support and personal assistance

from victim advocates and volunteers. More than 50 Phoenix Police Officers will work out of the center, investigating family violence, sexual assaults and missing persons reports.

Specially-trained police officers will transport the victims to the Family Advocacy Center from crime scenes or hospital emergency rooms. Victims will receive a sexual assault exam

by a forensic nurse, trained in collecting evidence necessary for prosecution. Besides a comfortable, victim-friendly atmosphere, victims will be offered a shower and a change of clothes after the examination.

"The (FAC) staff's number one and only priority at that time is the victim," Cindi Nannetti Bureau Chief of the Sex Crimes Bureau said.

The Maricopa County Attorney's Office, specifically the Sex Crimes Bureau, worked closely with the City of Phoenix

See *Center*, page 2

SANE 'one-stop' closer

By NICOLE MANGER, Public Information Coordinator

The Maricopa County Attorney's Office is "one-stop" closer to hiring a team of forensic nurses to conduct sexual assault exams, said Bureau Chief of the Sex Crimes Bureau Cindi Nannetti.

The Maricopa County Board of Supervisors voted on October 4, 1999 to approve the contracts between Scottsdale Health Care and the Maricopa County Attorney's Office. The contracts allow Scottsdale Health Care to hire 10 registered nurses to perform examinations and collect evidence for prosecution.

For the past three years, prosecutors researched the benefits of a Sexual Assault Nurse Examiners (SANE) program in Maricopa County. Research showed that similar programs in other metropolitan cities strengthened legal cases while minimizing trauma to assault victims. In late August, members of the local medical community voiced their approval of the SANE proposal, said Nannetti.

On the job training is the final stop before the nurses conduct sexual assault examinations. Forensic nurses will be trained in highly-specialized technology, technology that helps prosecutors build cases. For example, SANE teams around the country use an instrument called a colposcope, a magnified viewing device, which allows nurses to take photographs of vaginal injuries.

Besides specialized medical training, the nurses will be required to take 40 additional hours of training to understand

the correlation between medical evidence and criminal prosecution. Nurses will learn to collect evidence that, in addition to the medical evidence, connects the suspect with the scene of the crime. Deputy County Attorneys will spend classroom time acquainting the nurses with the criminal justice system.

The nurses will conduct the exams at the five designated examination facilities.

"This program will insure that victims of sexual assault get necessary and timely medical attention," said Rick Romley. "Justice is served."

Reporting a Rape

The victim will call 9-1-1. A police officer will arrive at her location and escort her to an advocacy center.

The forensic nurse team on call at the time is dispatched to the center to meet the victim and perform a detailed medical examination. A victim advocate may be called to provide moral support for the victim. After the exam, the center staff provides the victim an opportunity to shower and change clothes.

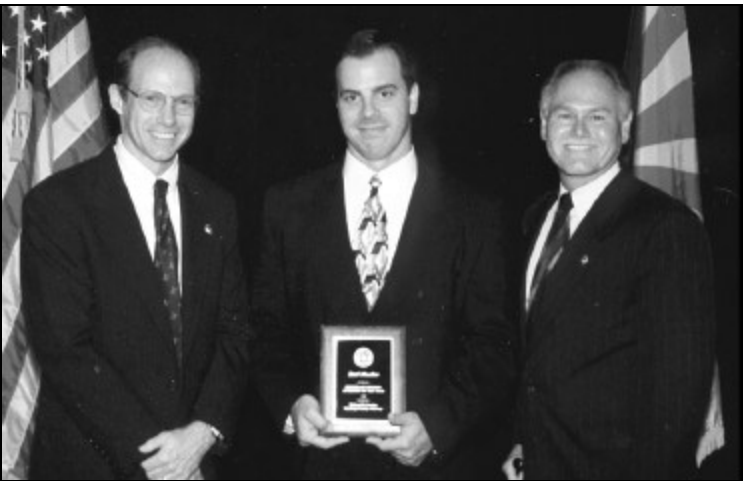
The victim will be interviewed once with everyone concerned about the case present. This may include a police detective and Deputy County Attorney. The victim will never have to submit another interview until the trial.

1999 Annual Meeting

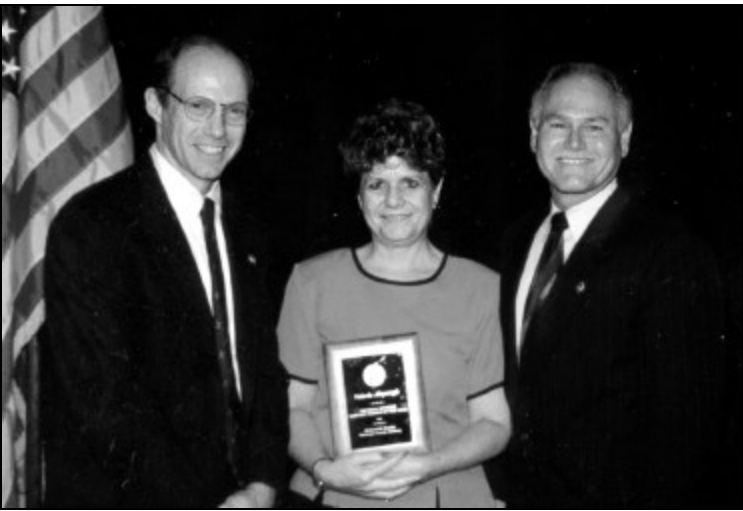
By NICOIE MANGER, Public Information Coordinator



Jaun Martinez's reputation as "a bulldog in the courtroom" won him the honor of Maricopa County Attorney Prosecutor of the Year as well as State of Arizona Prosecutor of the Year.



Deputy County Attorney Karl Mueller poses with his Southeast Division Attorney of the Year award.



Valerie Alsbaugh, Pre-Trial Division Support Person of the Year, was recognized for her role as business manager for the Check Enforcement Bureau.



The *Village People* have nothing over our 20- and 25-year employees...left to right, Joseph Kennedy, Mary Azbell, Anthony Sarate, and John Langdon.



LIGHTS, COMPUTER, ACTION! The Maricopa County Attorney's Office held its first interactive Annual Meeting on July 21, 1999 at the Orpheum Theatre in Downtown Phoenix.

An audience of 600 employees and guests watched a lively PowerPoint presentation highlighting the accomplishments of this past fiscal year.

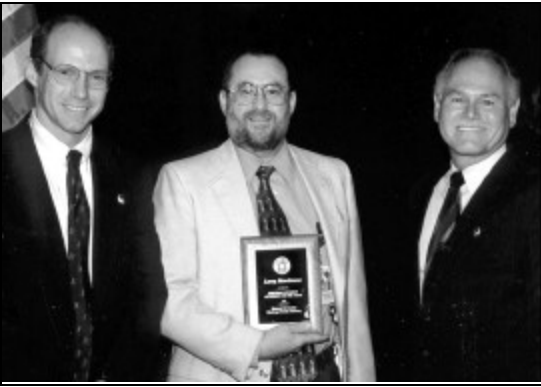
"This year was a remarkable year. You should all be applauded for your service to our fellow citizens," said Rick Romley, County Attorney. "You are all deserving of special recognition for your commitment to the community!"

This year, Juan Martinez received the Prosecutor of the Year award; Civil Attorney of the Year was Maria Brandon and Schyular Southwell was honored as the Employee of the Year.

In addition to emphasizing this past year, Chief Deputy Paul Ahler focused on MCAO's future, announcing the new market adjustments approved by the Board of Supervisors. The Maricopa County Attorney's Office received funds to bring the minimum starting salaries of attorneys, legal assistants, victim witness advocates and investigators in line with other local prosecutors' offices.

"Our main focus is always to compensate our employees for their hard work. This year we are pleased to announce the new market adjustments in addition to continuing the pay for performance and probationary advancements," said Ahler.

Romley concluded the meeting by announcing the office would concentrate on training and courtroom presentation to keep the office competitive into the millennium.



Deputy County Attorney Larry Morehouse was named Pre-Trial Division Attorney of the Year.



Juvenile Division Support Person of the Year Mary Randall is best known for keeping those "juvenile attorneys" in-line.

Inter Alia, from page 1

Office started to develop a program that would encourage medical providers to enter into a contract providing for specially trained nurse practitioners to administer these sexual assault examinations. In addition, we are encouraging the establishment of additional off-site family violence and victim advocacy centers modeled after the Mesa Center Against Family Violence, where these very sensitive medical examinations could be performed in a victim-friendly environment more conducive to this type of examination than a hospital emergency room. Victims who are examined at the Mesa Center have expressed their appreciation for the staffs' professionalism. The recent opening of the Phoenix Family Violence Center will provide comprehensive services to victims and their families who are affected by crime, including domestic violence and sexual abuse. Opening its doors soon, the Northwest Valley Advocacy Center will also care for victims in a professional and compassionate atmosphere.

In addition to the medical examinations, the centers use a multi-disciplinary team approach to investigate, intervene and prosecute domestic violence and sexual/physical abuse cases. The Maricopa County Attorney's Office has offices at each location to facilitate subpoenas, search warrants and trial preparation.

We are confident that the establishment of these centers along with the availability of specially trained medical personnel will not only meet the emotional and medical needs of victims, but will also insure that the perpetrators of sexual assault offenses will not escape accountability. This is important, not only to the victims of crime, but to all citizens of Maricopa County.

MCAO Revises Deadly Weapon Policy

By CAROL MCFADDEN, Special Assistant to the Maricopa County Attorney

In recent years, a growing number of police officers have been confronted by armed suspects firing at officers. To address this serious concern, the Maricopa County Attorney's Office has revised our deadly weapon policy to state:

"There shall be no offer made in any case in which a deadly weapon is pointed at or discharged at peace officer acting in the peace officer's official capacity. Defendants may plead to all of the charges, including any sentencing enhancements,

or proceed to trial. Deviations from this policy must have the prior approval of the Division Chief."

While this policy will result in an increase in the number of cases that proceed to trial, County Attorney Rick Romley believes that a hard stance is required for two reasons: to ensure that appropriate sanctions are brought against those willing to use deadly force against police officers and to deter others and thereby preventing future police officer injury.

Center, from page 1

in support of the center. Police submitted 210 sexual assault cases to the Maricopa County Attorney's Office in 1998. Inadequate evidence gathering techniques oftentimes hampered prosecution. This new center will insure the proper collection of evidence, resulting in cases more effectively prosecuted.

Maricopa County Centers

Center Against Family Violence • 225 E. 1st Street, Suite 102 • Mesa, AZ 85201 (480) 644-4075	ChildHelp USA 2346 N. Central Ave. Phoenix, AZ 85004 (602) 271-4500
Family Advocacy Center 2120 N. Central Ave., Suite 250 • Phoenix, AZ 85004 (602) 534-2120	Scottsdale Healthcare 7400 E. Osborn Rd. Scottsdale, AZ 85251 (480) 675-4000



Kids learn safety is cool

By JAME DADDONA, Research Analyst



The County Attorney's Office is always on the lookout for innovative ways to reach out to improve the quality of life for our residents. This summer, the Maricopa County Attorney's Office formed an alliance with the United Phoenix Fire Fighters Association and Phoenix City Councilman Phil Gordon to reach out to at-risk children and educate them on safety and prevention issues. The result of this partnership is a multidimensional program which targets low-income, at-risk children and exposes them to positive community role models and opportunities encouraging them to stay in school, stay off drugs, and be crime-free.

The first portion of this program was called "It's Cool to be Safe", and culminated in a day-long event at Encanto Park pool. County Attorney Rick Romley, Councilman Phil Gordon, and UPFFA President Billy Shields, along with scores of volunteers from the County Attorney's Office and the Fire Department, educated and entertained over 150 children on the importance of water safety and staying in school. The event was funded with RICO monies from the

County Attorney's Office and the additional contributions of Bashas' and Channel 15 KNXV-TV. The employees of the County Attorney's Office also donated enough school supplies to fill over 120 backpacks for the children to use as they return to school. In no small measure, the tremendous success of this event can be attributed to those MCAO employees who generously donated their time and resources.

It is rare to have an opportunity like this to directly influence the lives of the children who too often end up in our courtrooms. The sea of smiling young faces on that Saturday is proof that these partnerships work. With the efforts of everyone involved, we can continue to make a positive impact on at-risk youth in our community, one child at a time.

The second event in the "It's Cool To Be..." series is tentatively scheduled during Fire Prevention Week in October. Stay tuned for more information about opportunities to get involved.



School supplies collected from the MCAO school supply drive filled over 120 backpacks. Volunteers from our office stuffed backpacks bearing the "It's Cool to be Safe" logo and acted as water watchers during the safety day at Encanto Park.



Photo by Nicole Manger

Giving back throughout the year

By HEATHER MCLELLAN, Automations



Heather McLellan

Susie Butler, secretary in Trial Group B, is enormously generous. Immersing herself in a number of community projects over the years has given her a sense of pride, and as she tells it, "a way to feel that I have helped in some small way."

It was not surprising to meet Susie at the Habitat for Humanity's South Ranch site participating in an all-women's build, tenaciously involved in whatever the task was at hand. A late starting date seriously set the

project back, but Susie's energy made it possible to complete the home in time for a Mother's Day dedication.

Susie came to the Maricopa County Attorney's Office via Adult Probation, where she worked in the Community Restitution Program. Her favorite project was the distribution of 200 Christmas boxes to defendants' families. With a shopping list literally a mile long, she bought food, household supplies, baby food, diapers, formula and personal care items with money raised by raffles and donations.

Besides whole heartedly participating in organized drives,



Susie Butler, Secretary, Trial Group B

Susie has also arranged a philanthropic project from start to finish. Susie became aware of a young mother who was cited in

her community for unkempt property. She coordinated the cleanup with the assistance of several men from Adult Probation and after six hours they filled a large dumpster. The mother was overjoyed at the sight of her "new" yard, which now met city standards.

While most people spend time with friends and family during the holidays, Susie involves her family in the community. She and her 16-year-old grandson volunteer annually with Phoenix Clean and Beautiful, assisting in Christmas Tree clean up. The two direct traffic and unload trees that previously littered city alleys and

curbs. Both gain a sense of self-satisfaction.

Susie continues giving throughout the year. She offers her services at the Duncan Farms Melon Festival, Thunderbird Balloon Classic and hands out brochures promoting Phoenix Clean and Beautiful at local events like Phoenix International Raceway, to name a few. She is the spirit of Giving Back.

If you or a fellow co-worker is involved in community work, please contact Heather McLellan.



By **BARBARA MARSHALL**, *Division Chief of the Juvenile Division*

In the two weeks immediately following the tragedy at Columbine High School in Littleton, Colorado, thirteen incidents of school violence were reported to the MCAO Juvenile Division. There were several other incidents reported to the news media. These incidents ranged from the serious to the prank gone wrong. At one extreme was a high schooler who had targeted ten individuals whom he wanted to kill the following Monday. When confronted by school officials, and later the police, the young man stated that he was serious with his plans. At the other extreme were some middle schoolers who thought it would be funny to make a bomb threat, thereby getting out of school early. The word “bomb” proved difficult for them, however, and their first note threatened, “The boob goes off at noon.” (Unfortunately, the hapless spellers eventually got the spelling right and their threat led to a complete evacuation of the school.)

While we certainly saw incidents of school violence prior to the Littleton disaster, they were few and far between. The events of the past few weeks are enough to give everyone concern for the safety of our schools and the capacity of our youth to commit violent acts. The “copy cat” incidents in this County transcended geography and social strata. They occurred in Fountain Hills and Buckeye, New River and Chandler, and virtually every other area of the Valley. While the pundits all have a different opinion of what causes young people to commit such atrocities, we must not fool ourselves into thinking a Colorado or Arkansas disaster could not happen here.

As a result of these tragedies there is a renewed momentum to make our schools safer. Undoubtedly, some very good ideas will evolve out of the attention being given to school violence. I certainly do not claim to be an expert on this subject, but I do have some basic observations. Namely, most of the kids involved in these threatening situations had histories of behavioral problems which their families and the schools were aware of, but ignored. New laws are not the solution. As a prosecutor, I have an arsenal of laws. The responsibility of monitoring our children lies primarily with the family.

The culprit cannot escape responsibility; however, that responsibility must be shared by those who are in a position to observe, monitor and correct their children. The subject of parental responsibility is controversial but cannot be ignored without a tragic repeat of the horrors unfolding in our nation’s schools.



Barbara Marshall

New mentor program added to training

By **KELLEY LEIGH PIXLER**, *Legislative Intern*

In days gone past, “learn from your mistakes” was the method by which rookie prosecutors gained the skills to represent the citizens of Maricopa County. New attorneys were thrown into the cauldron of the courtroom, armed with little but their law school diploma.

Fortunately, the Maricopa County Attorney’s Office does not rely on the trial by fire method for training new attorneys. County Attorney Rick Romley, recognizing that the ivory tower of law school does not adequately prepare a new prosecutor for the reality of the courtroom, created the Training and Development Division two years ago to ease the transition from law school to lawyer.

Upon completion of general orientation, attorneys move on to Phase One of their extended training, where they are taught the skills necessary to represent those who rely upon our skill to insure justice.

• PHASE ONE

The first part of Phase One lasts for four weeks and as Kevin Maricle, assistant Bureau Chief, Training and Development Division, explains, “their time is spent mostly in the classroom reviewing subjects such as trial advocacy.” The newly hired attorneys are provided with literature, observe Justice of the Peace courts and run a practice court of their own. Provided with a mock police report, the new attorneys test their skills and their new knowledge of the courtroom in front of their peers. Each step in this stage is geared to preparing the attorneys for the second part of the Phase One.

After four weeks of training, the attorneys are divided between the two Preliminary Bureaus. They continue to practice by prosecuting actual cases in Justice

of the Peace courts. This stage hones their skill and techniques at plea bargaining, preliminary hearings, and trials. For the first month a mentor will accompany the new attorney into trial.

“The Maricopa County Attorney’s Office provides an incredible support system that is always there to help,” said Maricle. “This creates a great team feeling. They know they can be like E.T. and ‘phone home’ when ever there is a problem.”

She also explains that a result of crazy schedules and hectic situations, some of the best ‘war stories’ are produced. New attorneys learn to depend on each other for advice, creating wonderful camaraderies.

• PHASE TWO

Phase Two begins when the new attorneys receive their first semi-permanent assignment in either the Adult Trial Division or the Juvenile Trial Division. This training expands on the information presented in the first phase. The training is so effective it is not uncommon for experienced attorneys, in the process of switching divisions, to request a spot in one of these training sessions to rehone their skills.

• PHASE THREE

Once they have completed their training, the attorneys start the third phase. This brand new phase is in its first year of implementation. Phase Three provides the new attorneys with mentors. Mentors are experienced prosecutors whose objective is to give advice and guidance to rookie prosecutors. They are available full time to help and often act as second chairs on phase three attorneys’ trials. Along with the described duties, the mentors provide training that will fine tune courtroom skills and techniques.

The phase three attorneys also represent the office at morning

court coverage, providing courtroom exposure.

• PHASE FOUR

Phase Four consists of a series of seminars that are offered approximately every month. While available to all attorneys, this phase is mandatory for the first twenty-four months of the attorneys’ MCAO career.

The topics range from ‘jury selection’ to the popular ‘defense surprise maneuvers and trends.’

Maricle said, “The goal of the seminars is to provide topics that are helpful to most of the lawyers in the office.” These seminars are often co-sponsored by APAAC and can be used as CLE credit.

Attorney training will not merely phase out. The Training and Development Division has created an Advanced Trial Advocacy Course, taught by Special Assistant Jerry Landau and other senior attorneys. The new, week-long course is designed for seasoned attorneys to perfect their courtroom presentations. The exercises are intense. For example each attorney is video taped while presenting opening and closing arguments. The videos are then critiqued by the instructors.

Upon completion of the comprehensive training program the prosecutor feels confident that he has the skills necessary to represent the victims of crime.

Proud Papa



David Palmer, Bureau Chief Juvenile Westside, holds his new born Jaclyn and his two-year-old Jessica..

1999 Legislative Session

New laws aid victims and law enforcement

By **KELLEY LEIGH PIXLER**, *Legislative Intern*

The 44th legislative session hit the ground running on January 11, 1999. The process ran for 116 days and adjourned Sine Die on May 7, 1999. The filing of 1,187 new bills set a new record. Of those bills only 32 percent (375 bills) passed both houses of the legislature. The Governor vetoed 22 measures. The remaining 353 bills became law.

During the session, the Maricopa County Attorney’s Office, in cooperation with other law enforcement and criminal justice agencies, worked to secure passage of key legislation. We worked closely with legislators and staff by attending hearings, testifying and meeting with legislators regarding measures that would benefit public safety, citizens and law enforcement.

Perhaps foremost on the session agenda was Senate Bill 1278, commonly referred to as the Anti-Slumlord bill. This bill, drafted by the Slumlord Task Force chaired by Maricopa County Attorney Rick Romley and Phoenix City Councilman Phil Gordon, received overwhelming support from many legislators and neighborhood associations. Through testimony punctuated by pictures of blighted local residences and through the efforts of State Senators Chris Cummiskey and Mark Spitzer and Representatives Ken Chevront and Laura Knaperek,

along with the Arizona Association of Realtors and the Arizona Multi-housing Association, the bill sped through the legislature and to the Governor’s desk. The anti-Slumlord Bill made significant improvements to the abatement statutes dealing with residential rental property. In addition, it is now necessary for landlords to record ownership information with the county assessor, this information being available to the public.

Senate Bill 1008, sponsored by Senator Mark Spitzer deals with the emotional issues surrounding victim statements in death penalty cases. Previously, judges in capitol cases could not consider the statement made by the victim’s family. Through amendments to A.R.S. §13-703, a victim’s family may now address the court at the sentencing hearing and present information regarding the impact of the murder on the family and also discuss the murdered person. During the session, many victims testified before the Senate and House Judiciary Committees relating the personal impact this measure would have on the healing process of their family as well as other families placed in this tragic situation. Many legislators were so moved and understood the urgency that an emergency clause was included, allowing the bill to take effect upon the Governor’s signature, April 29, 1999.

Another bill was one that required great persistence! This year’s version of the criminal code omnibus lived and died repeatedly throughout the session. It hung in the race thanks to the combined efforts of the MCAO legislative team and other law enforcement agencies with the support of House and Senate leadership, Senator Mark Spitzer and Representative Mike Gardner. Finally, in the eleventh hour, the criminal code omnibus was attached to Senate Bill 1279, Peace Officer Personal Information; Internet.

In explaining the bill, Special Assistant County Attorney Jerry Landau said, “There are a number of significant amendments to the criminal code included within this bill. Enhanced protection for victims and police officers are an integral part of this legislation.”

The session was a definite success. Many new proposals, which have now become law, aid the victims of crime and the victims of slumlords; as well as a murdered victim’s family. Greater protections are afforded police officers and their families. All in all, the citizens of Maricopa County and the State of Arizona have gained from this year’s legislative session.